IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.2980 OF 2005
IN
APPEAL NO.828 OF 2005
IN
NOTICE OF MOTION NO.3079 OF 2002
AND
NOTICE OF MOTION NO.949 OF 2004
IN
SUIT NO.3569 OF 2002

1. The Salsette Parsis Association
Western Express Highway & ors. Appellants
vs.
1. Dara Sheriar Irani & ors. Respondents

Mr.R.N.Bhagatjee for the applicant.

Mr.D.S.Irani respondent no.1 in person.

Mr.Percy B. Irani respondent no.3 in person.

CORAM : R.M. LODHA &
D.G. KARNIK, JJ.

DATED : 25th November 2005

P.C.

Heard.

2. Notice of motion is rejected. However, the respondents shall file an undertaking before this Court within two weeks from today that they would not create any third party right or interest in the premises in their occupation nor shall they cause any material alteration or nuisance.

(R.M.LODHA, J.)

(D. G. KARNIK, J.)